

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

**DEFENDANT AHS MANAGEMENT COMPANY, INC.'S MOTION TO DISMISS
THE CONSOLIDATED AMENDED CLASS ACTION COMPLAINT**

Pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6) and Local Rule 7.01, Defendant AHS Management Company, Inc. (“Ardent”) moves to dismiss the Consolidated Amended Class Action Complaint (Dkt. No. 23, “CAC”). Plaintiffs fail to establish Article III standing, and thus the CAC should be dismissed pursuant to Rule 12(b)(1) for lack of subject-matter jurisdiction. Specifically, the CAC does not allege any injury in fact that is fairly traceable to Ardent’s conduct. Nor does it allege an imminent and substantial risk of future harm, which is required for Plaintiffs to have standing to seek injunctive relief. Moreover, the CAC fails to state a claim upon which relief may be granted and thus, alternatively, should be dismissed pursuant to Rule 12(b)(6). In support of its Motion, Ardent submits an accompanying Memorandum of Law.

WHEREFORE, for the reasons set forth in this Motion and the accompanying Memorandum, Ardent respectfully requests that this Motion to Dismiss be granted and the CAC be dismissed with prejudice in its entirety.

DATED this 3rd day of June, 2024.

Respectfully submitted,

/s/ Kathryn H. Walker

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CERTIFICATE OF SERVICE

I certify that on June 3, 2024, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt, which includes:

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